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09/964,429	09/28/2001	Ulrich Nagele	00083	1526	
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Walter Ottesen			SMITH, RUTH S		
Patent Attorney	,				
P.O. Box 4026			ART UNIT	PAPER NUMBER	
Gaithersburg, 1	MD 20885-4026		3737		
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Please find below and/or attached an Office communication concerning this application or proceeding.

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ② MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Extending of this may be evaluable under the provision of 3 CFR 1.13(a). In no event, however, may a reply be timely filed If the period for reply specified above is less than birty (30) days, a reply within the statutory minimum of birty (30) days will be considered timely. If the period for reply specified above is less than birty (30) days, a reply within the statutory minimum of birty (30) days will be considered timely. If the period for reply specified above is less than birty (30) days, a reply within the statutory minimum of birty (30) days will be considered timely. If the period for reply specified above is less than birty (30) days, a reply within the statutory minimum of birty (30) days will be considered timely. If the period for reply specified above is less than birty (30) days and the statutory minimum of the period of the statutory minimum of the st				46				
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The MAILING DATE of this communication appears on the cover sheet with the correspondence address — Period for Repty A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Estanciano from may be available under the provisions 37 CR 1.13(g). In no event, however, may a reply be timely filed sheet so the provisions of 37 CR 1.13(g). In no event, however, may a reply be timely filed sheet so the provision of 37 CR 1.13(g). In no event, however, may a reply be timely filed sheet of the communication. If the provision is reply a specified sheet, the maximum statutory parties will reply willing the sheet of the communication. If the provision is reply a specified sheet, the maximum statutory across will reply willing the sheet of the communication. If the provision is reply a specified sheet, the marking date of the communication, even if the provision of the communication and the communication is provision. This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Exparte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-1 (s/are pending in the application. 4) Claim(s) 1-1 (s/are pending in the application. 4) Claim(s) 1-1 (s/are pending in the application. 4) Claim(s) 1-1 (s/are rejected. 7) Claim(s) 1-1 (s/are rejected. 7) Claim(s) 1-1 (s/are rejected to by the Examiner. 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on 28 September 2001 is/are: a) accepted or b) Objected to by the Examiner. Application Papers 9) The specification is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 11) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). 2) All in Disconting controls of the priority documents have been received. 2) Certified copies of	Office Action Summary	Examiner	Art Unit					
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a) ⊠ All b) ☐ Some * c) ☐ None of: 1. ☑ Certified copies of the priority documents have been received. 2. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) ☐ Notice of References Cited (PTO-892) 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) ☑ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) **Total Copies of the priority documents have been received in Application No 4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date Notice of Informal Patent Application (PTO-152)	Priority under 35 U.S.C. § 119							
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Drawings

The drawings are objected to because in figure 1, box 21 should be labeled as to the element that it represents. Reference numerals alone are insufficient. Corrected drawing sheets are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: The limitations set forth on lines 5-9 of claim 4 lacks antecedent basis in the specification.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States

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only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4 are rejected under 35 U.S.C. 102(e) as being anticipated by Mizoguchi et al. The claims are directly readable on Mizoguchi et al which disclose a microscope 2 having cameras 200 and 201 positioned thereon (see figures 13-14). The microscope is used to view an object 202 having markers 203 thereon. The cameras are connected to CCUs 206, 206. The cameras and CCUs provide the image sensors and imaging devices. The cameras and CCUs are used in combination with measuring unit 120 and workstation 129 to detect the position of the object. The imaging devices define imaging axes which are inclined with respect to the optical axis of the objective and are disposed at respective locations to the right and left of the objective.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ruth S Smith whose telephone number is (703) 308-3063. The examiner can normally be reached on M-F 5:30 AM- 2:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Angela Sykes can be reached on (703) 308-5181. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ruth S Smith Primary Examiner

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